

12.08.14 Conservation Commission Minutes

Minutes of the Taunton Conservation Commission December 8, 2014

Present: Chair Steven Turner, Vice Chair Debra Botellio, Commissioners Ernest Enos, Marla Isaac, Renwick Chapman, and Luis Freitas. Commissioner Neil Kelly was absent.

Motion to table the November minutes until January 12, 2015, DB, second MI, so voted.

Certificate of Compliance

1. **33 Chandler Ave., Schlesinger/Carey Storage I, (MA), (COC), SE73-2587** Field report states that this project was for the excavation of approximately 350 cubic yards of contaminated soil impacted by what seemed to have been a single limited spill of volatile organic compounds (VOCs), specifically trichloroethylene (TCE), at 33 Chandler Avenue, within the 200 foot riverfront area of the Mill River. All work has been completed in significant compliance to the order of conditions issued on 9/10/14. There is no indication of siltation into the Mill River. MR recommends that the TCC issue a COC for this project. Motion to approve, DB, second MI, so voted.

(RC out)

Continued Public Hearing

1. **1380 Bay Street, Henderson, Taunton DEV/MA DEV Corp., (NOI), SE73-2595** Motion to table this hearing until later in the meeting, DB, second MI, so voted.

(RC back)

2. **427 Winthrop Street, Feodoroff, Trustee of the Fenway Realty Trust, (NOI), SE73-2596** Motion to continue until January 12, 2015, DB, second MI, so voted.

Public Hearing

1. **Dean Street & Arlington Street, Massachusetts Bay Transportation Authority, (NOI), SE73-2599** Field report states that this project is for six exploratory geotechnical borings within the Taunton River beneath existing rail bridges at Dean and Arlington Streets, near Prospect Place, and Summer Street. These borings are required in preparation of the proposed replacement bridges as part of the MBTA's South Coast Rail Project. There will also be borings within the 100 foot buffer zone to wetlands as well as Riverfront Area, but these are exempt under 310 CMR 10.02(2)(b) as they are temporary in nature, will have little impact, and are necessary for planning and design purposes. At each bridge, there will be two soil borings and will temporarily alter about .09 to .2 square feet of land each for a total temporary alteration of about .5 to 1.2 square feet. The borings will extend as deep as to reach 10 feet into bedrock. The borings will be between four to six inches in diameter. All work and staging will be from the existing rail bridges. When not in use, the equipment will be stored on the rails in upland areas off the bridges. The borings will be performed with a high rail mounted or track mounted drill rig using mud rotary drilling methods. They will be fully cased for the full depth of boring and the casing will be installed between railroad ties. Plain water will be re-circulated within the borehole from the rig's water tank and return water will be captured in a tub and re-circulated. All water and drill cuttings will be fully contained within the casing and mud tub. All sediment and drillings within the water tub will be returned to the borehole at the completion of the boring. Excess drill cuttings and water will be placed in 55 gallon drums and temporarily stored at the site prior to off site disposal. There will be no stockpiling of materials within resource areas or buffer zones. All rigs will have a spill kit present in the event of a spill. In such an event, the spill kit materials used will be placed in trash bags and removed from the site by the drilling contractor, NEB. Work will take place between early January and early spring of 2015 and occur between the hours of 7am to 5pm on weekdays and /or weekends. The City and MBTA will be given 24 hour notice prior to drilling activity. This project as presented should not negatively impact the Taunton River and is temporary in nature. MR recommends that the TCC approve this project and issue an order of conditions to include the attached special conditions. Present Holly, Kim, Stephanie, and Becky. RC are they using the existing rails to reach the work points? Yes. RC asked any equipment in the river? No. ST how long will this last? 2 weeks per bridge, maybe 6 weeks aim to be done by March. They will go down to 20-30 feet below the bed of the river. Intend to use the

existing structures, they intend to put new structures in the future. How long until the new bridges? This year survey data collections will be done, timeline is now 2.5 years total, hoping no hiccups along the way, 4.5 for construction to start. Probably another 1.5 before they are ready to come see TCC regarding construction of bridges. Motion to approve with conditions 1, 2, 3, 21, and 25, RC, second DB, so voted.

2. 130 & 132 Worcester Street, Crowley, (Anrad), SE73-2597 Representative Brad Fitzgerald. He did notify NHESP when he began. RC determine edge of ILSF? Calcs not needed at this point, MR it meets local bylaws. Motion to issue an ORAD, DB, second RC, so voted. Abutters: Alfred Ruggerio Meadowbrook Lane-How many lots are they planning to put in? 8-10. Mr. Ruggerio has been flooded out numerous times and is concerned about more water on his property. MR is going to take a look at the issues out there. Mr. Ruggerio said he is at a choke point where the water has nowhere else to go. Abutters Charlie and Lori Melega Wisteria Place-Just wanted to know where exactly they will be building? This is not known yet. RC told them make sure they go to planning board too.

Motion to revert back to 1380 Bay Street, DB, second MI, so voted.
(RC out)

Continued Public Hearing

1. 1380 Bay Street, Henderson, Taunton DEV/MA DEV Corp., (NOI), SE73-2594 Representatives Peer Reviewer- and from BSC- David, David B., and Marissa. Marissa and David went over their plans and changes they made to their plan regarding requests from the peer review. They will widen the entrance, sewer pump station put in, infiltration basins to help mitigate peak flow were added. They will add a curb line and catch basins to catch runoff and clean it before it gets to the lake. David said this is a large project that will be done in phases. ST any changes will have to come back before TCC. Perhaps it should be continued for a month to answer any questions left after the review. David said all major issues have been resolved it's just some minor things. DB is concerned with the close proximity to Watson's Pond and not having a fence around the detention basins. BSC stated that Mass Development doesn't want a fence and they haven't been made to put up a fence in any other parts of the park. DB asks then if any accident does happen, the TCC has the right to make them put in a fence. David addressed his other couple of concerns regarding a detention basin being put in and an O&M plan with a budget, know every year money is needed to clean and inspect the basin. Only outstanding thing is they two catch basins-revise the structure. Motion to approve, work with MR, hard copy with revision, hard copy of final, final for MR with conditions 1, 2, 3, 4, 5, 6, 7, 8, 11, 17, 19, 20, 21, 25, 26, 27, 28-recommendations from peer reviewer, 29-accident or death then the TCC can make them put up a chain link around detention basins, 30- additional detention basin in lot B2 (future development), 31- O&M budget to include street sweeping, DB, second MI, so voted.

(RC in)
(ST out)

3. 405 Winthrop Street, Lima, (NOI), SE73-2598 Field report states that this project is for the construction of a parking lot and installation of an oil/gas separator for a proposed auto sales and auto repair business. This property is located on the north side of Winthrop Street, sandwiched between South Walker Street and Winthrop Street, adjacent to the Dunkin Donuts at the corner of North Walker Street. A perennial stream runs between the Dunkin Donuts and this property, and the top of bank (annual mean high water) was flagged by Paul Patneaud on 11/14/14 using flags ESC1 to ESC5. This property is within the Three Mile River ACEC. The lot has been in existence since 1980 and therefore is grandfathered from the Rivers Protection Act. The existing building is between the proposed parking lot and the stream. All work falls within the riverfront, with a majority of the work within the 100 foot buffer to the wetland and top of bank. The proposed parking lot will be graded and topped with gravel or stone dust, thus keeping the area pervious. This alleviates the need for additional stormwater management as there is no net increase in impervious area. The lot is small and there are no practicable alternatives to the one proposed. During construction the applicant will install a mulch filter tube or straw wattles to prevent siltation. The applicant expects to begin work in December 2014 with a completion date in June 2015. All disturbed areas not within the parking lot or landscaped areas will be loamed and seeded to provide stabilization. Runoff from oil and gas within the building will be directed to floor drains which will connect to the oil/gas separator. In the long term pollution control plan, a low nitrogen fertilizer will be used to maintain the lawn and landscaped areas and will be applied between April 15th and November 1st. Snow storage should be outside the 100 foot buffer zone. MR recommends that the TCC approve the wetland delineation, flags FL1 to FL 5, and issue an order of conditions to include the attached special conditions. Paul present for the applicant. RC asked other than what was heard here, the plan is so small he can't see what is planned. Paul said they are permitted for 14 spaces not 21 but told to leave on the plan in case they need them due to congestion. Motion to approve with conditions 1, 2, 3, 4, 5, 7, 17, 19, 21, 25, 26, 27, 28- adding snow storage outside the 100 foot buffer, 29- only low nitrogen fertilizer to be used and applied between April 15th and November 1st, RC, second MI, so voted.

4. 19 Edgewater Lane, Noun, (NOI), SE73-2600 Field report states that this project is for the addition of a 26' x 36' garage onto an existing house within 100 feet of Lake Sabbatia. The property is within the Canoe River Aquifer ACEC and the flood zone (el. 65) is noted on the plan. The garage will be 88 feet from the lake with a siltation barrier set up at 69 feet from the lake which will be the limit of work. The garage will be on a concrete slab and will attach to the existing home. This is a relatively level area of the lot and there should be little to no siltation toward the lake. Once past the existing shed, the land slopes significantly to the lake (approximately 1:3). The project as presented should not negatively impact the lake, therefore MR recommends that the TCC approve this project and issue an order of conditions to include the attached special conditions. All lawn on the side of the house.

Foundation-4 ft frost wall and garage on slab. No additional grading will match existing grading. Loam and seed all existing disturbed areas. Motion to approve with conditions 1, 2, 3, 4, 5, 19, 21, 25, 26, and 27, RC, second MI, so voted.

Continued Violation

1. 30 Briggs Street, Henriques Greenhouse is down, violation is basically resolved. It was put up with no permits, he did not receive the mailings as he has moved out of the house and ex wife is living there. 11x 70 greenhouse that was not permanent. Motion to remove the violation, MI, second RC, so voted.

Other Business

1. Shores Street. They will be meeting with the council on 12/9/14 with the public properties committee. MR, ST, and the applicants Mr. Dutra and Mr. Gallagher will all be there. Debra Carr asked a question regarding this piece of property and swapping it with golf course but no golf course is all set. And this cannot be used as a swap. If council says no then Mr. Dutra will have to file but it's no matter it will be put into each of the other properties. Taking a lot of tax roll is a concern to the Council. No matter what they are going to be taking off tax roll. MR will explain all of this to the council.

Motion to adjourn, DB, second RC. Meeting ended at 8:15pm